

Kansas Register

Bill Graves, Secretary of State

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Social and Rehabilitation Services

Notice of Regional Public Forums

Rehabilitation Services and the Commission on Disability Concerns invite public comment and participation in planning and developing services for Kansans with disabilities. Several public forums have been scheduled to facilitate this process:

Colby

7 to 9 p.m., October 13 Sunflower Room, Ramada Inn, 1950 S. Range

Garden City

7 to 9 p.m., October 18 North Ballroom, Plaza Inn, 1911 E. Kansas

Kansas City

4 to 6 p.m., October 25 SRS Area Office, Gateway I Building, 400 State Ave.

Olathe

7 to 9 p.m., October 25 SRS Area Office, 401 W. Frontier Lane

Topeka

6:30 to 8:30 p.m., October 26 Rehabilitation Center for the Blind, 2516 W. 6th

Atchison

7 to 9 p.m., October 27 SRS Area Office, 410 Commercial

Chanute

7 to 9 p.m., November 9 SRS Area Office, 1500 W. 7th

Wichita

4 to 7 p.m., December 6 SRS Area Office, 230 E. William Comments are welcome on any issues affecting Kansans with disabilities. Comments on the following areas will be especially helpful:

- Quality and timeliness of services provided by Rehabilitation Services
- * Quality and scope of services provided by the Commission on Disability Concerns
- * Unmet service needs
- * Ideas for expanding and improving services for Kansans with disabilities, including those who have severe disabilities
- * Accessibility in employment, community services, transportation and housing

Rehabilitation Services will use the information rereceived through the forums to guide preparation of program and budget priorities and to contribute to development of state plans submitted to the Federal Rehabilitation Services Administration. The Commission on Disability Concerns will use the information to develop its agenda for the 1995 session of the Kansas Legislature and to assist in its ongoing advocacy on behalf of Kansans with disabilities. For purposes of scheduling, please call 1-800-432-2326 V/TDD if you intend to make a statement.

Individuals who are not able to attend one of the forums may submit written comments to Peg Spencer, Rehabilitation Services, 1st Floor, Biddle Building, 300 S.W. Oakley, Topeka 66606. Written comments should be received by Rehabilitation Services no later than 5 p.m. December 15.

To receive a copy of the public forum announcement in Braille, large print or audiotape, please call 1-800-432-2326 V/TDD.

Glen Yancey Commissioner, Rehabilitation Services

Doc. No. 015401

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Kansas Register Office: 235-N, State Capitol (913) 296-3489

Employee Award Board

Notice of Meeting

The Employee Award Board will meet at 9 a.m. Monday, October 10, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett Chairperson

Doc. No. 015408

State of Kansas

Health Care Data Governing Board

Notice of Meeting Cancellation

The Health Care Data Governing Board meeting scheduled for 11:30 a.m. October 5 in Topeka has been cancelled. The next meeting will be November 2.

Robert C. Harder Secretary

Doc. No. 015419

State of Kansas

Department of Commerce and Housing

Notice of Hearings on Kansas Comprehensive Housing Affordability Strategy

The Department of Commerce and Housing will conduct public hearings for input on the development of the Kansas Comprehensive Housing Affordability Strategy (CHAS) for federal fiscal year 1995. The agenda for the public hearings will include the CHAS one-year plan for 1995 and preparations for the consolidated plan in 1996.

All public hearings will begin at 5 p.m. All meeting places are accessible to persons with disabilities. The schedule of public hearings is as follows:

Date	Place
October 10	Public Library Auditorium 707 Vermont, Lawrence
October 11	Neosho County Community College Stoltz Hall, Lecture Hall 14th and Allen, Chanute
October 12	Public Library Auditorium 901 N. Main, Hutchinson
October 13	Country Kitchen Restaurant Williamsburg Room 3203 N. Vine, Hays

Bob Knight Secretary of Commerce and Housing

Doc. No. 015422

State of Kansas

Speech-Language Pathology and Audiology Board

Notice of Meeting

The Speech-Language Pathology and Audiology Board will meet at 1:30 p.m. Thursday, October 20, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka.

Lesa Bray, Director Health Occupations Credentialing

Doc. No. 015418

State of Kansas

Military Advisory Board

Notice of Meeting

The Kansas Military Advisory Board of the Adjutant General's Department will conduct a teleconference meeting at 11 a.m. Tuesday, October 11. The teleconference will originate from the office of the Adjutant General, 2800 S.W. Topeka Blvd., Topeka. An agenda may be obtained by contacting Charles Bredahl, Office of the Adjutant General, (913) 266-1004.

Charles G. Bredahl Special Assistant to The Adjutant General

Doc. No. 015424

State of Kansas

Social and Rehabilitation Services

Public Notice

Effective October 1, 1994, the following changes are being made to the Kansas Medicaid State Plan, inpatient hospital reimbursement system. DRG weights and hospital rates have been updated using newer claims, newer cost reports, and the new grouper. The methodology to complete this update has not been changed from the previous year. The base group 1 rate is \$2,802, group 2 rate is \$2,408, and group 3 rate is \$2,346 per discharge with a weight of 1.00. There is no aggregate fiscal impact due to these changes.

Copies of the proposed changes will be made available in area SRS offices upon expressed interest or by calling Tina Hayes at (913) 296-3981. Comments may be sent to Tina Hayes at the office of Income Support and Medical Services Commission, Hospital Reimbursement, Room 628-South, Docking State Office Building, 915 S.W. Harrison, Topeka 66612-1570. Comments may be reviewed by the public at the same office. Copies also may be obtained at this address.

Robert Epps Commissioner, Income Support and Medical Services

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1993 Supp. 75-4210, as amended. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 10-3-94 through 10-9-94

Term	Rate
0-90 days	4.74%
3 months	5.08%
6 months	5.40%
9 months	5.62%
12 months	5.88%
18 months	6.20%
24 months	6.46%
36 months	6.79%
48 months	7.03%

Sally Thompson State Treasurer

Doc. No. 015411

State of Kansas

Board of Veterinary Medical Examiners

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, November 1, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption on a permanent basis of proposed new regulations K.A.R. 70-1-4, 70-1-5 and 70-6-1.

K.A.R. 70-1-4 defines a mobile veterinary practice, 70-1-5 defines a dental operation, and 70-6-1 deals with minimum standards for a veterinary premise.

This notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing or request copies of the proposed regulations and economic impact statement by writing to Dirk Hanson, D.V.M., Executive Director, Board of Veterinary Medical Examiners, 10475 Purple Sage Road, Wamego 66547. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed regulations. Any individual with a disability may request accommodation in order to participate in the hearing and may request the proposed regulations and economic impact statement in an accessible format.

There will be no significant economic impact on licensees, the Board of Veterinary Medical Examiners, or the general public.

> Dirk Hanson, D.V.M. Executive Director

Doc. No. 015413

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 2 p.m. October 19, and then publicly opened:

District One-Northeast

Johnson—46 U-1401-01 - Mission Road, from 95th Street to 103rd Street, 1 mile, grading and surfacing. (Federal Funds)

District Two-Northcentral

Chase—50-9 M-1803-01 - U.S. 50, 3.6 miles east of the east city limits of Strong City, then east 0.5 mile, pavement reconstruction. (State Funds)

Clay—15-14 M-1791-01 - K-15, KDOT mixing strip 5 miles south of Clay Center, bituminous stockpiling. (State Funds)

Clay-Dickinson—15-106 K-5590-01 - K-15, from the Dickinson-Clay county line, north to the south city limits of Clay Center; K-15, from the east junction of K-18, north to the Dickinson-Clay county line, 23.1 miles, recycle. (State Funds)

Clay-Dickinson—197-106 K-5593-01 - K-197, from the city of Industry, east to K-15, 2 miles, seal. (State Funds)

Clay-Riley—82-106 K-5592-01 - K-82, from the junction of K-15, east to the Clay-Riley county line; K-82, from the Clay-Riley county line, east to the south junction of U.S. 77, 10.7 miles, overlay, (State Funds)

Cloud—15 M-1795-01 - KDOT mixing strip 5 miles southwest of Concordia, bituminous stockpiling. (State Funds)

Geary—70-31 M-1700-01 - I-70, Safety rest area between Junction City and K-177, safety rest area improvements. (State Funds)

Jewell—28-45 K-5424-01 - K-28, from the Nebraska-Kansas state line, south to the west junction of U.S. 36, 15.9 miles, overlay. (State Funds)

Jewell—36-45 M-1797-01 - U.S. 36, KDOT mixing strip at the junction of U.S. 36/ K-128, bituminous stockpiling. (State Funds)

Lincoln—53 K-5591-01 - K-18, from the Russell-Lincoln county line, east to the Lincoln-Ottawa county line; K-252, from the junction of K-18, south to the north city limits of Beverly, 32.1 miles, recycle. (State Funds)

Lincoln—181-53 M-1798-01 - KDOT mixing strip 1 mile south of the junction of K-18, bituminous stockpiling. (State Funds)

Mitchell—9-62 M-1796-01 - K-9, KDOT mixing strip 1 mile east of the junction of U.S. 24, bituminous stockpiling. (State Funds)

Mitchell-Cloud—9-106 K-5589-01 - K-9, from the Mitchell-Cloud county line, east and north to the junction of K-28; K-9, from the east junction of U.S. 24, east to the Mitchell-Cloud county line, 27.2 miles, overlay. (State Funds)

Washington—15-101 K-5422-01 - K-15, from the west junction of U.S. 36, north to the Kansas-Nebraska state line, 13.2 miles, overlay. (State Funds)

Washington—15-101 M-1792-01 - K-15, KDOT mixing strip 2 miles north of Morrowville, bituminous stockpiling. (State Funds)

Washington—15-101 M-1793-01 - K-15, KDOT mixing strip 1.5 miles east of Washington, bituminous stockpiling. (State Funds)

District Three-Northwest

Decatur—36-20 K-5444-01 - U.S. 36, Oberlin, east to the Decatur-Norton county line, 18.2 miles, overlay. (State Funds)

Decatur-Norton-Sheridan—9-106 K-5594-01 - K-9, from the Sheridan-Decatur county line, east to the Decatur-Norton county line; K-9, from the Norton-Decatur county line east to the west junction of U.S. 283; K-9, from the junction of K-123, east to the Sheridan-Decatur county line, 29.7 miles, overlay. (State Funds)

Graham—33 K-5595-01 - K-18, from the junction of U.S. 24, southeast to the Graham-Rooks county line; U.S. 24, from the west city limits of Hill City, east to the Graham-Rooks county line, 19.8 miles, overlay. (State Funds)

Osborne—71 K-5596-01 - U.S. 24, from the Osborne-Rooks county line east and north to the north junction of U.S. 281; U.S. 281, from the north junction of U.S. 24, north to the Smith-Osborne county line, 27.1 miles, overlay. (State Funds)

Phillips-Norton—106 K-5597-01 - U.S. 36, from the Phillips-Norton county line, east to 0.1 mile east of the west city limits of Phillipsburg; K-383, from the Norton-Phillips county line, northeast to the junction of U.S. 183; K-121, from the junction of U.S. 36, north to Stuttgart; U.S. 36, from the west city limits of Norton, east to the Norton-Phillips county line, 27.1 miles, overlay. (State Funds)

Rawlins—77 C-2793-01 - County road, 3.4 miles north and 7.8 miles east of Atwood, 0.2 mile, grading and bridge. (Federal Funds)

Russell—18-84 K-5441-01 - K-18, from the east junction of U.S. 281, southeast to the Russell-Lincoln county line, 13.3 miles, overlay. (State Funds)

District Four-Southeast

Coffey-57-16 K-4617-01 - K-57, 3rd Street to Railroad Street in Gridley, 0.3 mile, pavement reconstruction. (State Funds)

Labette—50 U-1372-01 - In the city of Parsons from U.S. 59, then west on North Boulevard and north on 21st Street, 0.9 mile, grading and surfacing. (State Funds)

District Five—Southcentral

Barton—4-5 K-5137-01 - K-4, from the east city limits of Hoisington, east to the east junction of K-156, 14.9 miles, overlay. (State Funds)

Edwards—50-24 K-5618-01 - U.S. 50, from the Ford-Edwards county line east to the west city limits of Kinsley, 8.3 miles, overlay. (State Funds)

Kiowa—183-49 K-5479-01 - U.S. 183, from the junction of U.S. 54, north to the Kiowa-Edwards county line, 8.8 miles, overlay. (State Funds)

Pratt—281-76 K-5483-01 - U.S. 281, from the south city limits of Iuka, north to the Pratt-Stafford county line, 6.9 miles, overlay. (State Funds)

Pratt-Reno—61-106 K-5601-01 - K-61, from the west city limits of Preston, northeast to the Pratt-Reno county line and from the Pratt-Reno county line, northeast to the east city limits of Turon, 8.7 miles, slurry seal. (State Funds)

Reno—78 C-2893-01 - County road, 3 miles north of Yoder, then north over the Arkansas River, 0.9 mile, grading, bridge and surfacing. (Federal Funds)

Reno—50-78 K-5474-01 - U.S. 50, from the junction of K-14, east to K-61, 6.6 miles, recycle. (State Funds)

Reno—78 K-1802-04 - Cheney State Park, east shore area, 0.5 mile, grading and bituminous surfacing. (State Funds)

Reno-50-78 M-1782-01 - U.S. 50, KDOT mixing strip near Hutchinson, bituminous stockpiling. (State Funds)

Rice—14-80 K-5473-01 - K-14, from the north city limits of Lyons, north to the Rice-Ellsworth county line, 11.3 miles, recycle. (State Funds)

Rice—4-80 M-1779-01 - K-4, approximately 4 miles west of the K-14 junction, bituminous stockpiling. (State Funds)

Rush—4-83 K-5471-01 - K-4, from 0.5 mile east of county route 581 east to the junction of U.S. 183, 14.4 miles, overlay. (State Funds)

Rush—183-82 M-1780-01 - U.S. 183, KDOT mixing strip, 1 mile north of LaCrosse, bituminous stockpiling. (State Funds)

Sedgwick—54-87 K-4614-01 - U.S. 54, Mid-Continent Road east to I-235, 1 mile, grading, bridge and surfacing. (Federal Funds)

Sedgwick—87 N-0029-01 - Wichita, Webb Road, from 29th Street to 39th Street, 1 mile, grading and surfacing. (Federal Funds)

Sedgwick—87 N-0033-01 - Wichita, Woodlawn Avenue from 33rd Street to 36th Street, 0.5 mile, grading and surfacing. (Federal Funds)

District Six—Southwest

Clark—183-13 K-5467-01 - U.S. 183, from the Oklahoma-Kansas state line, north to the junction of U.S. 160, 13.5 miles, overlay. (State Funds)

Clark—183-13 M-1784-01 - U.S. 183, KDOT mixing strip at the junction of U.S. 160, bituminous stockpiling. (State Funds)

Ness—283-68 K₂5470-01 - U.S. 283, from the Hodgeman-Ness county line, north to the north city limits of Ness City, 13.7 miles, overlay. (State Funds)

Ness—283-68 K-5588-01 - U.S. 283, from the north city limits of Ness City, north to the Ness-Trego county line, 16.5 miles, seal. (State Funds)

Ness—96-68 M-1783-01 - K-96, KDOT mixing strip at the east edge of Ness City, bituminous stockpiling. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston Secretary of Transportation

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated, and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Thursday, October 13, 1994 725048A

Radioactive cobalt flood sources (rebid)

Barbara Lockhart Purchasing Director

Doc. No. 015402

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, until 2 p.m. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information:

Tuesday, October 11, 1994

A7307(a)

Kansas State University—Konza Prairie capital improvements, barn roof renovation

30717

Kansas Correctional Industries—Nitration grade xylene

30718

Kansas Correctional Industries—Defoamer, dispersant and surfactant

00028

Department of Social and Rehabilitation Services— Construction of hoistway, Wichita

00036

Department of Social and Rehabilitation Services— Electric wheelchair, Wellington

00050

Topeka State Hospital—Knitted sheets, blankets and pillowcases

Wednesday, October 12, 1994

30716

Statewide—Automotive shock absorbers

00040

Department of Wildlife and Parks—Furnish and install walkways and handrails, Cheney State Park

00041

Department of Transportation—Reflectors

00042

Department of Wildlife and Parks—Paint water tanks, Cheney State Park

Thursday, October 13, 1994

A-7453

Youth Center at Topeka—Reroof upper section - school building

A-7596

Department of Corrections—Roof replacementpowerhouse, "A" Dorm and Education Buildings, Norton

Friday, October 14, 1994

30712

Kansas State University—Sun workstation peripherals

00058

Winfield State Hospital—Dining room furniture 00062

Kansas State University—1/2" cartridge tape drive 00063

Kansas State Historical Society—Acid free library supplies

Thursday, October 27, 1994

University of Kansas—Replace brass/copper steam pipes, Dyche Hall

A-6881

University of Kansas—Campus steam tunnel repairs, Green and Spooner Halls

Thursday, November 3, 1994

Kansas Bureau of Investigation—Aircraft insurance

Request for Proposals

Monday, October 17, 1994

30714

Pharmacy consultation services for the Department of Social and Rehabilitation Services

Monday, October 24, 1994

30715

Health promotion newsletter for the Department of Administration, Division of Personnel Services

30720

Preadmission screening and annual resident review for the Department on Aging

Wednesday, October 26, 1994, 30772

Flexible spending accounts for the Department of Administration, Division of Personnel Services

Friday, December 16, 1994 30600

Medicaid management information system (MMIS) for the Department of Social and Rehabilitation Services

Jack R. Shipman Director of Purchases

Dec. No. 015421

Legislature

Interim Committee Schedule

The following	committe	e meetings have	been scheduled during the period of	f October 3 through October 16:
Date	Room	Time	Committee	Agenda
October 3 October 4	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Ways and Means	Mental retardation and developmental disabilities issues.
October 4	527-S	8:30 a.m.	Subcommittee on Telecommunications Strategic Planning Committee	Evaluation and discussion of responses to RFP.
October 4 October 5	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Children and Families	Minimum income standards. Family resource centers. Family preservation programs. Outcome measures.
October 6 October 7	Ca	ncelled	Joint Committee on Pensions, Investments and Benefits	Cancelled.
October 7	531-N	10:00 a.m.	Workers Compensation Fund Oversight Committee	
October 11	519-S	10:00 a.m.	Legislative Post Audit Committee	Legislative matters.
October 13 October 14	519-S 519-S	10:00 a.m. 9:00 a.m.	Health Care Reform Legislative Oversight Committee	Agenda not available.
October 13	را دی دارایسان مهمان در افتا	1:30 p.m.	Kansas Council on Privatization	Subcommittee meetings.
	527-S C 531-N P	argeted Opportur ost Accounting Jublic Employees ocurement	nities	
October 14	123-S	8:00 a.m.	Kansas Council on Privatization	Public hearings. All persons interested in making a presentation to the council should contact Kansas, Inc. at (913) 296-1460. Comments should not exceed 10-15 minutes.
October 14	514-S	10:00 a.m.	Telecommunications Strategic Planning Committee	Discussion and possible recommendations on responses to RFP. If time permits, a presentation by Larry Pankratz on wireless communications.
				Emil Lutz Director of Legislative Administrative Services

Department of Health and Environment

Notice Concerning Variance Request From Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on September 2, 1994, McConnell Air Force Base, 2800 S. Rock Road, in McConnell AFB, Kansas, submitted a request for a renewal of a variance from specific hazardous waste regulations. The request for a variance was submitted in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-6(c), which requires minimum insurance requirements for transporters of hazardous waste. McConnell AFB is part of the U.S. government. It is covered by the Federal Tort Claims Act which essentially makes the Air Force a self insurer and establishes a source of reimbursement which satisfies the intent of K.A.R. 28-31-6(c). Therefore, KDHE has made a tentative decision to grant renewal of the variance.

Copies of the variance request will be available for public review until October 29 from 8 a.m. to 4:30 p.m. weekdays at the KDHE, Building 740, Forbes Field, Topeka.

Comments concerning this variance request may be directed to Candy Williamson, Hazardous Waste Section, KDHE, Building 740, Forbes Field, Topeka 66620. Comments must be submitted in writing prior to October 29. Requests for additional information may be made by contacting KDHE at (913) 296-6898.

Upon the written request of any interested person, a public meeting may be held to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision shall be made by the secretary and a notice of the final decision shall be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment shall be specified by the secretary. A date upon which the variance will no longer be valid shall be prescribed in the final decision.

Robert C. Harder Secretary of Health and Environment

Doc. No. 015416

State of Kansas

Department of Health and Environment

Notice Concerning Variance Request From Hazardous Waste Regulations

The Kansas Department of Health and Environment is providing public notice that on August 15, 1994, Gordon-Piatt Energy Group Inc., located at Strother Field Industrial Park near Winfield, submitted a request for renewal of a variance from specific hazardous waste regulations. The current request expired April 26, 1992. The request for a variance was submitted in accordance with K.A.R. 28-31-13(a).

The variance is requested from K.A.R. 28-31-4 and 40 CFR 265.176, which require the storage of containers holding ignitable hazardous waste must be located at least 15 meters (50 feet) from the facility's property line.

Gordon-Piatt Energy Group Inc. generates ignitable hazardous waste, which is stored prior to being shipped off-site for reclamation. Gordon-Piatt Energy Group Inc. proposes to store this waste in a hazardous waste storage building with a concrete floor with curbing to contain any potential spills. KDHE has reviewed the variance request and concluded that the variance is justified. In accordance with K.A.R. 28-31-13(b), public notice is being provided of the tentative decision to grant the variance.

Copies of the variance request will be available for public review until October 29 from 8 a.m. to 4:30 p.m. weekdays at the KDHE, Building 740, Forbes Field, Topeka, and at the KDHE district office, 130 S. Market, 6th Floor, Wichita.

Comments concerning this variance request may be directed to Candy Williamson, Hazardous Waste Section, KDHE, Building 740, Forbes Field, Topeka 66620. Comments must be submitted in writing prior to October 29. Requests for additional information may be made by contacting KDHE at (913) 296-6898.

Upon the written request of any interested person, a public meeting may be held to consider comments on this tentative decision. The person requesting a meeting shall state the issues to be raised and shall explain why written comments would not suffice to communicate the person's views. If a decision is made to conduct a public meeting, a separate public notice detailing the date and place of a public meeting will be issued.

After evaluating all public comments, a final decision shall be made by the secretary and a notice of the final decision shall be published in the Kansas Register. If approved, any conditions or time limitations needed to comply with all applicable state or federal laws or to protect human health or safety or the environment shall be specified by the secretary. A date upon which the variance will no longer be valid shall be prescribed in the final decision.

Robert C. Harder Secretary of Health and Environment

Board of Regents

Request for Proposals for Collection Services

Pursuant to K.S.A. 1993 Supp. 76-745, the State Board of Regents has convened a negotiating committee to select one or more parties to provide collection services for the board and the state educational institutions under its jurisdiction, except for collection services for hospital revenue collection for the University of Kansas Medical Center. Parties interested in submitting proposals should contact Marvin Burris, State Board of Regents, Suite 1410, 700 S.W. Harrison, Topeka 66603, (913) 296-3423.

Ted D. Ayres General Counsel

Doc. No. 015412

State of Kansas.

Department of Health and Environment

Notice of Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to Universal Tech Corporation to construct and operate a plant to manufacture explosives near Hallowell.

Written materials, including the permit application and information relating to the application submitted by Universal Tech Corporation, draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through October 28 by contacting Lynn Ranabargar, KDHE Southeast District Office, Chanute, (316) 431-2390. This material also can be reviewed at the KDHE office in Building 283, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to Eugene Sallee, KDHE, (913) 296-1575.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to the permit's issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before October 28.

Robert C. Harder Secretary of Health and Environment

Doc. No. 015415

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-94-88/90

Name and Address of Applicant	Legal Description	Receiving Water
C & T Farms, Inc. Route 3, Box 54 Norton, KS 67654	SE/4, Sec. 11, T4S, R23W, Norton County	Solomon River Basin

Kansas Permit No. A-SONT-S003

The proposed expanded facility will have capacity for approximately 975 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use, Wastewater storage capacity is provided in excess of minimum requirements

Compliance Schedule:

- 1. The waste management plan developed by REH & Associates, Inc. and approve by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1 acre inch per acre per year and solids shall be applied at no greater than 10 ton per acre.
- 2. Dewatering equipment shall be obtained prior to the wastewater level reaching 6.5 ft. depth in the retention structure through purchase, rental or custom application agreement. It shall be capable of pumping at least 130 gallons per minute and dispersing the wastewater over 30 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Lippert Livestock	SW/4, Sec. 16,	Big Blue River
James Lippert	T7S, R4E,	Basin
1220 Main	Clay County	
P.O. Box 132		A San San San All San
Creen KS 67447		

Kansas Permit No. A-BBCY-S001

The existing facility has the capacity for approximately 300 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

(continued)

Name and Address of Applicant Nellor Dairy Dick Nellor 21195 S. Gardner Road Gardner, KS 66030

Legal Description SW/4, Sec. 13, T15S, R22E, **Johnson County** Receiving Water Marais des Cygnes

Kansas Permit No. A-MCJO-M005

The feedlot has capacity for approximately 200 dairy cattle and a contributing drainage area of approximately 2.3 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 4.3 acre-feet.

Compliance Schedule: None, existing controls adequate.

Public Notice No. KS-ND-94-8

Name and Address of Applicant

Waterway

Type of Discharge

Unified School District No. 378

Non-overflowing

Non-overflowing

Riley County High School P.O. Box 326

Riley, KS 66531 Riley County, Kansas

Kansas Permit No. M-KS62-N002

Discription of Facility: This is a two-cell non-overflowing lagoon system designed for domestic waste only. This is a new facility.

Public Notice No. KS-94-57/59

Name and Address of Applicant Waterway Grain Growers Cooperative Arkansas River via 202 N. Main city storm sewer Cimarron, KS 67835 Gray County, Kansas

Type of Discharge Contaminated groundwater remediation project effluent

from air stripper

Kansas Permit No. I-UA07-P001

Fed. Permit No. KS-0090361

Description of Facility: This facility was involved in the sale of gasoline fuel. Due to leakage of underground storage tanks and spills, contaminated groundwater is being remediated by pumping from three recovery wells and treating the contaminated water in an air stripper prior to discharge to the Arkansas River via a city storm sewer. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(bf), and federal surface water criteria.

Name and Address of Applicant Offerle Cooperative Grain and Supply Company Elm St. and Kansas Ave. P.O. Box 90 Offerle, KS 67563

Waterway Arkansas River via unnamed tributary via 4" PVC pipe

Type of Discharge Contaminated groundwater remediation project effluent from air stripper

Edwards County, Kansas Kansas Permit No. I-UA29-P001

Fed. Permit No. KS-0090701

Description of Facility: This facility was involved in the sale of gasoline fuel. Due to leakage of underground storage tanks, contaminated groundwater will be pumped and treated in an air stripper prior to discharge to the Arkansas River. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant Smith Feeds/Grain Growers Evans Tire Montezuma, Kansas **Facility** P.O. Box 508 Cimarron, KS 67835 Gray County, Kansas

Waterway Cimarron River via Crooked Creek via unnamed tributary via municipal storm drainage

Type of Discharge Contaminated groundwater remediation project effluent from air stripper Kansas Permit No. I-CI14-P001

Fed. Permit No. KS-0090352

Description of Facility: These facilities operated fuel disposal and automotive service station facilities. Due to spills and leaks from underground storage tanks, hydrocarbon contaminated groundwater will be pumped and treated in an air stripper prior to discharge to municipal storm drainage. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before October 28 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-94-88/90, KS-ND-94-8, KS-94-57/59) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Robert C. Harder Secretary of Health and Environment

Doc. No. 015420

State of Kansas

Department of Commerce and Housing

Permanent Administrative Regulations

Article 7.—KANSAS COMMUNITY SERVICES PROGRAM

110-7-1. Definitions. For the purpose of these regulations, the following terms shall have the meanings provided herein, unless the context clearly indicates otherwise

(a) "Business firm" means:

(1) any business entity authorized to do business in the state of Kansas which is subject to the state income tax imposed by the provisions of the Kansas income tax

- (2) any national banking association, state bank, trust company or savings and loan association paying an annual tax on its net income pursuant to article 11 of chapter 79 of the Kansas statutes annotated; or
- (3) any insurance company paying an annual tax on its net income pursuant to article 28 of chapter 40 of the Kansas statutes annotated.
- (b) "Community service organization" means any organization performing community service in Kansas which:
- (1) is exempt from income taxation under the provisions of section 501(c)3 of the federal internal revenue code:

(2) is incorporated in the state of Kansas or another

state as a nonstock, non-profit corporation;

- (3) has been designated as a community development corporation by the United States government under the provisions of title VII of the economic opportunity act of 1964; or
 - (4) is chartered by the United States congress.

(c) "Community service program."

- (1) Community service program means a program in which activities are conducted that meet a demonstrated community need and that are designed to achieve one or more of the targets for change identified on pages 23-68 of the report to the 1992 Kansas legislature by the special committee on children's initiatives, entitled "A Blueprint for Investing in the Future of Kansas Children and Families," as filed December, 1991, which is hereby adopted by reference. The targets for change which are set forth in the blueprint include:
 - (A) greater support to children and their families;

(B) invest in young children ages 0-5;

(C) restructure schools to respond to changing educational and developmental needs of children;

(D) improve the physical health and mental health

status of children;

(E) modify service delivery systems;

(F) make business a partner; and

(G) reduce high risk behavior in children and families.

(2) Each community service program shall be approved by local planning councils prior to submittal to Kansas department of commerce & housing.

(d) "Crime prevention" means any nongovernmental activity which aids in the prevention of crime in an im-

poverished area.

- (e) The term "health care services" shall include, but not be limited to, the following:
 - (1) services provided by:
 - (A) local health departments;
 - (B) city, county or district hospitals;
 - (C) city or county nursing homes; or
 - (D) other residential institutions;
- (2) preventive health care services offered by a community service organization, including:
 - (A) immunizations;
 - (B) prenatal care;
- (C) home health care services which enable postponement of entry into nursing homes; and
 - (3) community-based services, including:
 - (A) services for persons with a disability;
 - (B) mental health services;

- (C) indigent health care;
- (D) physician or health care worker recruitment;

(E) health education;

(F) emergency medical services;

- (G) services provided by rural health clinics;
- (H) integration of health care services;

(I) home health services; and

- (J) services provided by rural health networks.
- (f) "Department" means the Kansas department of commerce and housing (KDOC&H).
 - (g) "Director" means the director of community de-

velopment of KDOC&H.

(h) "Proposal" means the act by a non-profit organization of putting forth a proposed program for carrying out a specific project consistent with the Kansas community services program act, L. 1994, Chapter 38.

(i) "Rural community" means:

(1) any city having a population of fewer than 15,000 located in a county that is not part of a standard metropolitan statistical area as defined by the United States department of commerce or its successor agency;

(2) any city having a population of fewer than 15,000 located in a county defined as a standard metropolitan statistical area, if a substantial number of persons in such county derive their income from agriculture; and

- (3) any city in a county defined as a standard metropolitan statistical area which is the only city in its county that has a population that exceeds 15,000. (Authorized by and implementing L. 1994, Chap. 38, Sec. 5; effective, T-110-9-1-94, Sept. 1, 1994; effective Nov. 14, 1994.)
- 110-7-2. Submission of proposals. (a) Each proposal shall be made on an application form prescribed by the department. The department may request any additional information the department determines to be necessary to evaluate a proposal or plan.

(b) A proposal shall be approved by the director for a period of one year. To continue eligibility for tax credit in future years, a new application and current docu-

mentation shall be required.

- (c) Proposals shall be accepted for consideration during a specified period which will be announced by the director for the tax year 1994. If tax credits remain from the 1995 state fiscal year another specified period for accepting proposals shall be announced prior to the end of the fiscal year. Future periods in which proposals will be accepted for consideration shall be announced by the director, as determined by the availability of tax credits.
- (1) The program year shall coincide with the state fiscal year for all projects which shall begin July 1 and end June 30.

(2) Proposals may be accepted at other times during the year at the discretion of the director.

- (d) For each proposal submitted, a prompt reply acknowledging receipt shall be provided to the applicant by the director.
 - (e) Contents of proposals.

(1) Each proposal shall address at least one of the fol-

lowing areas in order to qualify for approval.

(A) The proposed project shall meet a demonstrated community need related to one or more of the targets for change set forth in "A Blueprint for Investing in the Future of Kansas Children and Families."

(continued)

(B) The proposed project shall aid in the prevention of crime in an impoverished area.

(C) The proposed project shall contribute to health care services.

(2) Each proposal shall set forth:

(A) the project to be conducted;(B) why the project is needed;

(C) the estimated amount to be invested in the project; and

(D) the plans for implementing the project.

(3) Each proposal shall set forth the following impact measurements of the project.

(A) The proposal shall estimate the number of individuals who will benefit from the proposed project.

(B) The proposal shall identify the population group in society which will benefit from this project, including but not limited to women, children, the elderly, or teenage mothers. The proposal shall also set forth historical data on the targeted group that supports the need for services which will be provided by the proposed project.

(C) The proposal shall describe the community needs the proposed project will benefit, including but not limited to care of the elderly, crime prevention or preven-

tion of teenage suicide.

- (D) The proposal shall address the impact of the project on society, with projected statistical results. (Authorized by and implementing L. 1994, Chap. 38, Sec. 5; effective, T-110-9-1-94, Sept. 1, 1994; effective Nov. 14, 1994.)
- 110-7-3. Review of proposals. (a) Approval or disapproval of each proposal shall be based on the following criteria.

(1) The non-profit organization submitting the proposal shall demonstrate its capability to adequately ad-

minister the project.

- (2) There shall be a demonstrated need for the program in the area within which the project is to be carried out.
- (3) A proposal which was granted approval for the previous program year, and is being submitted for approval for the current program year shall be evaluated on the performance of the project in the previous year or years, and the continued need for the project.

(4) An independent audit of the non-profit organization's financial records shall accompany each pro-

posal.

(b) A project shall not be approved if the proposal does not include a written endorsement of the agency of local government or planning council within the area in which the project is to be provided.

(c) Within 90 days after submission, the applicant shall be notified by the director of the disposition of the

submitted proposal.

- (d) Only those contributions which are cash contributions shall be eligible for tax credit provided in K.A.R. 110-7-4.
- (e) Each applicant who submits a proposal that is approved shall file an annual report on or before June 30, specifying:

(1) the amount of tax credit which was utilized in the

prior fiscal year;

(2) the actual dollars utilized by the project; and

(3) a complete list of contributors and the amount of each contribution.

(f) Selection committee.

(1) There shall be a selection committee comprised of three members appointed by the director.

(2) The selection committee shall review each application and recommend approval or disapproval to the director.

(g) Priority.

(1) In making recommendations for approval or disapproval to the director, the selection committee shall give priority to proposals from non-profit organizations who solicit cash contributions from business firms that contribute above and beyond the firm's average annual charitable contribution for the preceding three tax years. All other proposals shall be considered equally.

(2) In order to receive approval priority, the non-profit organization submitting a proposal which meets the requirements of paragraph (g)(1) above shall also be responsible for obtaining from the business firm or firms from which contributions were solicited a signed certification form which shall include the following lan-

guage

"I (name), as duly authorized representative of (name of firm), do hereby certify that a tax credit will only be claimed for that portion of (name of firm)'s cash donation which exceeds the amount of (name of firm)'s average annual charitable donation for the proceeding three tax years."

(Signature of firm's representative)
(Date)

(Authorized by and implementing L. 1994, Chap. 38, Sec. 5; effective, T-110-9-1-94, Sept. 1, 1994, effective Nov. 14, 1994.)

110-7-4. Amount of tax credits. (a) If the proposal has been approved, a tax credit against the tax liability of a business firm shall be granted by the department of revenue. The tax credit shall not exceed 50% of the total amount contributed during the taxable year by the business firm to a community service organization or governmental entity.

(b) The amount of credit shall not exceed 70% of the total amount contributed during the taxable year by the business firm to a community service or governmental

entity in a rural community.

(c) Tax credits shall not be given to a business firm whose contributions are granted for activities that are a part of that firm's normal course of business.

(d) Any tax credit not used for the taxable year the contribution was made may be carried over in succeeding tax years until the total amount of the credit is used.

(e) Tax credit shall not be given for any funds expended or contributions received prior to the approval of the proposal by the director. (Authorized by and implementing L. 1994, Chap. 38, Sec. 5; effective, T-110-9-1-94, Sept. 1, 1994; effective Nov. 14, 1994.)

Bob Knight Secretary of Commerce and Housing

Department of Administration

Temporary Administrative Regulations

Articles 5.—COMPENSATION

1-5-29. Longevity bonus pay. (a) Each classified employee, excluding any such employee who is on an emergency or a temporary appointment, who has at least 10 years of state service credit on their service anniversary date shall be eligible for longevity bonus pay. For the purposes of this regulation, service anniversary date shall be the date on which the employee began employment under the Kansas civil service act. Service credit shall be determined in the same manner as length of service as defined in K.A.R. 1-2-46. State service for longevity bonus pay purposes shall not be recalculated. Employees shall be credited for service performed prior to June 18, 1994 based on their state service credit on June 17, 1994.

(b) Unless an exception is approved by the director, longevity pay shall only be issued when a documented performance review has occurred in the 12 months immediately preceding the employee's service anniversary

date.

(c) The longevity bonus payment for each eligible employee shall be computed by multiplying \$40 by the number of full years of state service, not to exceed 25

years.

(d) Longevity bonus pay shall increase the regular rate applying to overtime pay for hours worked during the 12 months preceding the service anniversary date, and shall be considered in calculating the payment for annual compensatory time to an employee upon termination as provided in K.A.R. 1-5-24. (Authorized by and implementing K.S.A. 75-5541, as amended by L. 1994, ch. 352, § 4; effective, T-1-7-27-89, July 27, 1989; effective Nov. 20, 1989; amended, T-1-9-19-94, Sept. 19, 1994.)

Article 6.—RECRUITING AND STAFFING

1-6-21. Certification to permanent positions. (a) (1) When an appointing authority submits a request to the division for a list of eligibles to fill a permanent position by original appointment or promotional appointment, the appointing authority shall be provided by the director with a list of the names of available persons who have the top five scores on the appropriate list.

(2) If an agency has more than one vacancy in the same class, the list of names certified by the director as "eligible for appointment" shall include the available

persons on the certification who have:

(A) up to the top 10 scores for two to five vacancies;

(B) up to the top 15 scores for six or more vacancies.

(3) Additional names may be certified as "eligible for appointment" by the director if it appears that those original names certified as "eligible for appointment" may no longer be interested in employment in the class.

(4) As approved by the secretary of administration, the process for the certification of names from the list of

eligible persons may be altered by the director in order to provide qualified candidates for appointment to a specific class.

(b) The director may refuse to certify an eligible for reasons specified in K.S.A. 75-2940(1), K.A.R. 1-6-7, and

K.A.R. 1-6-16(h).

(c) No error made in the certification of eligibles from an employment list shall invalidate appointments already made from that list. A determination shall be made by the director as to whether errors in the certification of eligibles will invalidate a certification from which appointments have not been made.

(d) Appointments made from a certification shall be made from only those persons certified by the director as "eligible for appointment" pursuant to subsection (a)

of this regulation.

(e) Each eligible certified as "eligible for appointment" on a certification shall be given equal consideration by the agency when applying additional job-related selection criteria. (Authorized by K.S.A. 75-3747, as amended by L. 1994, ch. 248, § 29; implementing K.S.A. 75-2943, as amended by L. 1994, ch. 185, § 1; effective May 1, 1979; amended May 1, 1983; amended May 1, 1985; amended, T-1-9-19-94, Sept. 19, 1994.)

Article 8.—TRAINING AND CAREER DEVELOPMENT

1-8-2. Orientation. (a) Establishment and maintenance of a program of orientation for new employees shall be the responsibility of the director, in cooperation with agency administrators.

(b) Supervisors shall orient each employee new to a position to provide the employee with information on job responsibilities, employee benefits, and aspects of the workplace pertinent to an employee's need to success-

fully execute the responsibilities of the position.

(c) Each agency shall ensure that all employees receive training regarding the state's management philosophy, including quality management principles and practices, agency vision and goals, and other specific aspects of the state's management philosophy. Each employee shall be provided with orientation regarding the specific duties and responsibilities of the employee's position and the way in which that position helps to achieve the agency vision and goals.

(d) Any agency may supplement the orientation information required above with specific agency materials. (Authorized by K.S.A. 75-3747, as amended by L. 1994, ch. 248, § 29, and L. 1994, ch. 91, § 1; implementing L. 1994, ch. 91, § 1; effective May 1, 1979; amended, T-1-

9-19-94, Sept. 19, 1994.)

1-8-5. Supplemental management training programs. Each agency shall be encouraged to develop or provide supplemental management training programs for managers and potential managers. Guidelines for such programs shall be developed by the director. Where appropriate, such programs may be developed and conducted by the director on a state-wide basis where a centralized effort is more effective. Each management training program shall be consistent with the vision, principles and practices that are contained in the

orientation and supervisory training programs authorized by K.A.R. 1-8-1 and 1-8-6. (Authorized by K.S.A. 75-3747, as amended by L. 1994, ch. 248, § 29, and L. 1994, ch. 91, § 1; implementing L. 1994, ch. 91, § 1; effective May 1, 1979; amended, T-1-9-19-94, Sept. 19, 1994.)

1-8-6. Supervisory training programs. (a) A program shall be developed and maintained by the director to provide supervisory training for each employee appointed to a supervisory position and each employee currently working in a supervisory position in any agency. The program shall provide supervisory continuing education training for each employee who is currently a supervisor.

(b) Any agency may develop its own supervisory training programs which shall include periodic supervisory continuing education training and shall be consistent with guidelines developed by the director. Each agency that has its own supervisory training program shall submit a copy of the program to the director. Any agency that does not have a supervisory training program may request a copy of the director's program.

(c) No employee shall be granted permanent status in a supervisory position to which appointed or promoted until the employee has successfully completed a supervisory training program. Each person appointed or promoted into a supervisory position shall complete the prescribed program within six months of the date of appointment or promotion. This time period for training may be extended to 12 months from the date of appointment or promotion if the training cannot be completed within six months. If a person has received prior supervisory training consistent with guidelines established by the director, the appointing authority may exempt the employee from supervisory training, subject to approval of the exemption by the director.

(d) Each supervisor who has completed the initial supervisory training, or who was exempted from the initial supervisory training, shall complete a supervisory continuing education training every three years as long as the supervisor remains in a supervisory position. Each person remaining in a supervisory position shall complete a prescribed continuing education program no later than six months after the three-year anniversary date of completing the initial supervisory training program or subsequent continuing education programs. This time period for continuing education training may be extended to 12 months from the three-year anniversary date of completing the training if it cannot be completed within six months. There shall be no exemptions for any person in a supervisory position from the required continuing education training.

(e) A supervisor shall be defined in accordance with K.A.R. 1-2-84. (Authorized by K.S.A. 75-3747, as amended by L. 1994, ch. 248, § 29, and L. 1994, ch. 91, § 1; implementing K.S.A. 75-3746 and L. 1994, ch. 91, § 1; effective May 1, 1979; amended May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-1-9-19-94, Sept. 19, 1994.)

Article 9.—HOURS; LEAVES; EMPLOYEE-MANAGEMENT RELATIONS

1-9-23. Shared leave. (a) (1) Each classified employee, excluding those who are on emergency, inter-

mittent, or temporary appointment, and each unclassified employee, excluding those on emergency, intermittent, or temporary appointment, or on a temporary appointment made pursuant to K.S.A. 75-2935(1)(i), may be eligible to receive or donate shared leave as provided in this regulation.

(2) Shared leave may be granted to an employee if the employee or a family member as defined in K.A.R. 1-9-

5(e)(2):

(A) is experiencing a serious, extreme, or life-threatening illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the employee to take leave without pay or terminate employment; and

(B) keeps the employee from performing regular work

luties.

- (b) (1) An employee shall be eligible to receive shared leave if:
- (A) the employee has exhausted all paid leave including annual leave, sick leave, and compensatory time credits; and
- (B) the employee has six months of continuous servece.
- (2) An employee shall be eligible to donate annual leave or sick leave to another employee if:
- (A) the donation of annual leave does not cause the accumulated annual leave balance of the donating employee to be less than 80 hours; and

(B) the donation of sick leave does not cause the accumulated sick leave balance of the donating employee

to be less than 480 hours.

(c) (1) Each employee wishing to use or donate shared leave shall request to use or donate in the form and at such time as prescribed by the appointing authority, as required by K.A.R. 1-9-3(a).

- (2) When requesting shared leave, or at any time during the use of shared leave, any employee may be required by the appointing authority or the director to provide a physician's statement or other medical evidence necessary to establish that the illness, injury, impairment or physical or mental condition is serious, extreme or life-threatening and keeps the employee from performing regular work duties. If the shared leave is being used for a family member, the employee may also be required to show evidence that the family member's serious, extreme or life-threatening illness, injury, impairment or physical or mental condition keeps the employee from performing regular work duties. If the employee fails to provide evidence as required, the use of shared leave may be denied or terminated by the appointing authority.
- (3) (A) If the appointing authority determines the employee meets the initial eligibility requirements in paragraph (b)(1), and if applicable, determines that the employee would be caring for an individual who meets the definition of a family member, a leave share review committee shall be established as prescribed by the director. The leave share review committee shall review shared leave requests and provide a recommendation to the appointing authority.

(B) Shared leave may be denied if it is determined that the requesting employee has a history of leave abuse.

Common illness or minor injury that is not serious, extreme or life-threatening shall be excluded from eligibility for shared leave.

(C) If the employee receives worker's compensation, long-term disability payments, or both, shared leave used each payroll period shall be that amount which, together with the payment of worker's compensation, long-term disability, or both, equals but does not exceed the regular salary for the employee.

(D) The appointing authority may grant all or a portion of the time requested. The decision by the appointing authority to approve or deny the request shall be final and not subject to appeal to the civil service board.

(d) Employees shall not be notified of the need for shared leave until the request for shared leave has been approved by the appointing authority. No employee shall be coerced, threatened, intimidated, or financially induced into donating leave for purposes of the shared

leave program.

- (e) (1) Shared leave may be used only for the duration of the current serious, extreme or life-threatening illness, injury, impairment or physical or mental condition for which it was collected. When an employee is granted shared leave due to the employee's illness or injury, the maximum duration of the shared leave shall be six months from the date the employee began using the shared leave. After six months, if the employee does not meet the conditions for long-term disability payments, shared leave may be extended for up to an additional six months. When the shared leave is granted due to the illness or injury of a family member, the maximum duration of the shared leave shall be 12 months from the date the employee began using the shared leave. Shared leave shall not be transferable to any employee other than the employee for which it was requested and do-
- (2) Shared leave may be applied retroactively for a period not to exceed 30 calendar days. The director shall be given written notification of each instance in which shared leave is applied retroactively.

(3) The employee shall no longer be eligible to receive

shared leave for that particular occurrence if:

(A) the serious, extreme or life-threatening illness, injury, impairment of physical or mental condition improves so that it is no longer serious, extreme or life-threatening and the employee is no longer prevented from performing regular work duties;

(B) the recipient terminates or retires; or

(C) the employee can no longer show evidence that the family member's illness, injury, impairment or physical or mental condition is serious, extreme or life-threatening and keeps the employee from performing regular work duties.

The employee shall be determined to no longer be prevented from performing regular work duties when the physician states the employee is able to return to work or when the employee has returned to work for 20 continuous working days.

(4) Any unused portion of the shared leave shall be prorated among all donating employees based on the original amount and type of donated leave. Shared leave shall not be returned to donating employees in increments of less than one full hour or to any person who has left state service.

(f) (1) Shared leave shall be paid according to the receiving employee's regular rate of pay by the receiving employee's agency. The rate of pay of the donating employee shall not be used in figuring the amount of shared leave the requesting employee receives.

(2) Shared leave shall be donated in full-hour incre-

ments.

(g) The requirements of this regulation may be waived or modified by the director upon written request of the appointing authority. Such a waiver or modification may be granted only upon a finding by the director that:

(1) all the criteria of L. 1994, ch. 240, § 1 have been

(2) failure to grant the requested waiver or modification would create a manifest injustice or undue hardship on the employee requesting the shared leave or on a family member of that employee. (Authorized by K.S.A. 75-3706, 75-3747 as amended by L. 1994, ch. 248, § 29 and L. 1994, ch. 240, § 1; implementing K.S.A. 75-2925, 75-3707, 75-3746, and L. 1994, ch. 240, § 1; effective, T-1-7-23-92, July 23, 1992; effective Sept. 14, 1992; amended July 26, 1993; amended, T-1-9-19-94, Sept. 19, 1994.)

Article 63.—QUALITY MANAGEMENT

1-63-1. State quality management initiative. (a) The state quality management initiative shall focus on customer satisfaction, continuous improvement, and employee involvement.

(b) In order to continually strive towards achieving the highest quality in all aspects of state government, state agencies, employees, administrators, officers and quality teams shall adhere to the state quality program's guiding principles. The four guiding principles shall be:

(1) identify customers and meet their needs and ex-

pectations;

(2) involve employees at all levels in problem solving and decision making;

(3) enable employees to change and succeed through

appropriate education and training; and
(4) improve processes and remove barriers to create

and reinforce continuous improvement.

- (c) Each state agency shall prepare an implementation strategy containing proposed activities and quality goals in accordance with the statewide quality management implementation strategy established by the secretary of administration. These strategies shall be submitted to the secretary of administration for approval. (Authorized by and implementing L. 1994, ch. 91, § 1; effective, T-1-9-19-94, Sept. 19, 1994.)
- **1-63-2.** Quality initiative leadership. (a) The state quality management initiative shall be led by the secretary of administration and shall include:

(1) promoting and assisting the development of im-

plementation strategies by each agency; and

(2) developing and coordinating appropriate training programs for state officers and employees.

(b) The quality management advisory council shall consist of each state agency cabinet secretary and shall

(continued

advise the secretary of administration on state quality management initiative policy issues.

- (c) A state quality management initiative administrative and training office shall be staffed by the division of personnel services. Quality management materials and programs for the state quality program shall be developed and coordinated by the administrative and training office with the approval of the secretary of administration.
- (d) The state quality program planning and guidance committee, defined in the statewide quality management implementation strategy, shall assist the administrative and training office in the execution of its administrative and training responsibilities. (Authorized by and implementing L. 1994, ch. 91, § 1; effective, T-1-9-19-94, Sept. 19, 1994.)

Gloria M. Timmer Secretary of Administration

Doc. No. 015403

(Published in the Kansas Register, September 29, 1994.)

Notice of Complete Call for Redemption City of Lenexa, Kansas **Industrial Revenue Bonds** Series 1977, Dated 11/1/77

(Robbie Manufacturing, Inc. Project)

Notice is hereby given that pursuant to terms of Section 4(b) of Ordinance No. 2569, the city of Lenexa, Kansas, upon instructions from Robbie Manufacturing, Inc., has called for redemption the above mentioned bonds on November 1, 1994, at 103 percent of their principal amount thereof together with accrued interest thereon to November 1, 1994. The serial numbers of the bonds to be redeemed are as follows:

Bond No.	Maturity Date	Principal Amount	Interest Rate	CUSIP
137-152	11/1/95	80,000	8.875%	526048PU1
153-170	11/1/96	90,000	9.00%	526048PL1
171-200	11/1/97	150,000	9.00%	526048NV1

Payment of bonds to be redeemed will be made at the principal office of BANK IV Kansas, National Association, upon presentation and surrender of said bonds, together with all coupons, if any, appertaining thereto maturing on or after the redemption date. From and after November 1, 1994, interest on the bonds so called for redemption will cease to accrue.

Bonds should be surrendered at BANK IV Kansas, National Association, Corporation Trust Operations, P.O. Box 48850, Wichita, KS 67201, or 100 N. Market, 3rd Floor-Exchange Place, Wichita, KS 67201.

Tax Identification Form W-9 or an exemption certificate is required or tax will be withheld from payment.

The trustee shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness indicated in the redemption notice or on any bond. It is included solely for convenience of the holders.

Dated September 20, 1994.

BANK IV Kansas National Association

(Published in the Kansas Register, September 29, 1994)

NOTICE OF PARTIAL REDEMPTION

City of Kansas City, Kansas **Single Family Mortgage Revenue Bonds 1980 Series A**

NOTICE IS HEREBY GIVEN by Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101, (the "Trustee") that, pursuant to Section 3.01 of the Trust Indenture of The City of Kansas City, Kansas, Single Family Mortgage Revenue Bonds, 1980 Series A, that a total of \$760,000 principal amount of the Bonds is being called for redemption on November 1, 1994 at the redemption price of 100 percent of the principal amount plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, September 29, 1994 in the Kansas Register and The Bond Buyer.

The serial numbers of the Bonds to be redeemed are as follows: (NOTE: Coupons due November 1, 1994 should be presented in the normal manner. Coupons due May 1, 1995 and all subsequent coupons

must be attached to bonds called for redemption.)

CUSIP No. 484770 BL5 Due 05/01/2012 (\$5,000 each)

<u>Bearer Bonds</u>
2278 2783 2821 2842 2853 3483 3739 4066 4145 4192
4209 4315 4334 5904 6357 6488 6734 6746 6751 7467

 Registered Bonds called in the amount indicated below

 \$5,000
 R142
 \$5,000
 R375
 \$5,000
 R437
 \$5,000

 \$5,000
 R470
 \$5,000
 R545
 \$5,000
 R566
 \$5,000
 R33 .. R619 \$485,000

CUSIP No. 484770 BM3 Due 05/01/1995 (\$5,000 each) Registered Bonds called in the amount indicated below R618 \$20,000

CUSIP No. 484770 BN1 Due 05/01/1996 (\$5,000 each) Bearer Bonds 1265 1283 1326

Registered Bonds called in the amount indicated below R625 \$10,000

CUSIP No. 484770 BP6 Due 05/01/1999 (\$5,000 each) Bearer Bonds

Registered Bonds called in the amount indicated below R297 \$5,000 R290 \$5,000 R344 \$5,000 R494 \$5,000 R617

INSTRUCTIONS

1. Send your bonds by registered or certified mail, return receipt requested or present it to:

Security Bank of Kansas City Corporate Trust Division One Security Plaza Kansas City, Kansas 66101 Attn: Bond Redemption Desk

- 2. Pursuant to the terms of the Internal Revenue Code, the paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 31% tax from remittances to individuals who have failed to furnish the paying agent with a valid Taxpayer Identification Number
- 3. The CUSIP Numbers are included solely for the convenience of the Bondholders. Neither the Issuer nor the Paying Agent shall be responsible for the selection or the use of the CUSIP Numbers, nor is any representation made as to their correctness the securities or as indicated in any redemption notice.

4. Interest on the bonds herein called for redemption shall cease to accrue on and after November 1, 1994.

> **Security Bank of Kansas City** Corporate Trust Division

Dated: September 29, 1994

Doc. No. 015425

(Published in the Kansas Register, September 29, 1994.)

Notice of Redemption to the holders of City of Pratt Industrial Revenue Bonds Series November 1, 1982 (Texas Energies, Inc.)

Notice is hereby given that pursuant to the terms of the ordinance dated as of November 1, 1982, between the city of Pratt and Texas Energies, Inc. (the lessee), all outstanding Industrial Revenue Bonds due November 1, 1995, and thereafter, have been called for redemption on November 1, 1994.

The bonds to be redeemed will become due and payable on November 1, 1994, at the principal amount thereof, together with a premium of 0.5 percent of the principal amount thereof, and will be paid on or after said date upon presentation and surrender at First National Bank in Pratt, Trust Department, 223 S. Main, P.O. Box N, Pratt, KS 67124. The method of delivery of the bonds for payment is at the election and risk of the holder, but, if sent by mail, insured, registered or certified mail, return receipt requested, is recommended.

City of Pratt, Kansas

Doc. No. 015406

(Published in the Kansas Register, September 29, 1994.)

Summary Notice of Bond Sale \$6,870,000 City of Garden City, Kansas General Obligation Bonds

(General obligation bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated September 22, 1994, of the city of Garden City, Kansas, in connection with the city's General Obligation Bonds, Series B, 1994, hereinafter described, sealed, written bids for the purchase of the bonds shall be received at the office of the finance director at the City Administration Center, 301 N. 8th, Garden City, Kansas, until 11 a.m. central time on Wednesday, October 12, 1994, at which time and place all bids shall be publicly opened, read aloud and tabulated, and shall immediately thereafter be considered and acted upon by the governing body of the city. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form which has been prepared for the public bidding on these bonds, and which may be obtained from the city's finance director or from the city's financial advisor. Bids may be submitted by mail or may be delivered in person, and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order

of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$6,870,000, and shall bear a dated date of November 1, 1994. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on May 1 and November 1 in each year, commencing May 1, 1995, and the bonds shall mature serially on November 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$525,000	1995
550,000	1996
575,000	1997
605,000	1998
635,000	1999
665,000	2000
700,000	2001
<i>7</i> 35,000	2002
<i>7</i> 75,000	2003
810,000	2004
55,000	2005
60,000	2006
60,000	2007
60,000	2008
60,000	2009

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city is obligated to levy special assessment taxes in certain authorized amounts upon certain benefitted properties and ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Thursday, November 17, 1994, at such bank or trust company or other qualified depository in the state

continue

of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The city's outstanding general obligation bonded indebtedness at November 1, 1994, including the bonds described herein, will be in the principal amount of \$14,380,000. This amount does not include \$2,073,700 aggregate principal amount of outstanding temporary improvement notes, of which \$1,624,300 will be redeemed and paid from proceeds of the bonds described herein and other available funds.

Official Statement

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Additional Information

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city's finance director at the address and telephone number shown below, or from the city's financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Melinda Hitz, Finance Director City Administration Center 301 N. 8th P.O. Box 499 Garden City, KS 67846 (316) 276-1234

Doc. No. 015423

(Published in the Kansas Register, September 29, 1994.)

Notice of Bond Sale \$200,000 Fire District No. 5 Osage County, Kansas General Obligation Bonds Series 1994

Sealed Bids

Sealed bids for the purchase of \$200,000 principal amount of General Obligation Bonds, Series 1994, of the district hereinafter described, will be received by the district's attorney, Stephen Jones, on behalf of the Board of Trustees of Fire District No. 5, Osage County, Kansas, at the offices of Coffman, Jones & Gilliland, 112 E. 7th, P.O. Box 250 Lyndon, KS 66451 (913/828-4431), until 4:30 p.m. C.D.T. on Wednesday, October 12, 1994. All bids will be publicly opened and read at said time and place and will be acted upon by the district at its meeting to be held at 6 p.m. C.D.T. on October 12, 1994, at the district's office, 203 W. 3rd, Lyndon, Kansas. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 1994, and will become due serially on October 1 in the years as follows:

Year	Principa Amount
1996	\$15,000
1997	15,000
1998	15,000
1999	20,000
2000	20,000
2001	20,000
2002	20,000
2003	25,000
2004	25,000
2005	25,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 1996.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The district will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of 1/8 or 1/20 of 1 percent. No interest rate shall exceed the index of treasury bonds published by The Bond Buyer in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the district during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the district on the basis of such bid. Each bid shall also specify the average annual net interest rate to the district on the basis of such bid. Bidders shall specify in the bid form the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the district, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the district. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the district shall determine which bid, if any, shall be accepted, and its determination shall be final.

Security for the Bonds

The bonds will be general obligations of the district, payable as to both principal and interest in part from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the district.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the district which must be met subsequent to the issuance of the bonds by the district and, as a result, the district will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The district's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the

bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the district's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income, with certain other adjustment. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for an environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on such obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The district does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the district with the provisions of the resolution authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income.

Delivery and Payment

The district will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about October 27, 1994, at such bank or trust company in the state of Kansas or greater Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the bidder's expense. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and certificate regarding the completeness and accuracy of the official statement.

(continued)

Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the district. The denominations of the bonds and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the district and bond registrar not later than 3 p.m. C.D.T. on October 19, 1994. In the absence of such information, the district will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the district by 3 p.m. C.D.T. on October 19, 1994, a certificate acceptable to the district's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,000, payable to the order of the district to secure the district from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the district until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall, at the option of the district, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the district shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the district, and the district reserves the right to pursue any consequential damages as a result of such default.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the district.

Bid Forms

All bids must be made on forms which may be procured from the district's attorney. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The district reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the district's attorney and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the district's attorney at his law office and must be received prior to 4:30 p.m. C.D.T. on Wednesday, October 12, 1994.

Date and Delivery of Preliminary and Final Official Statement

The district has authorized the preparation and disbursement of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the purchaser and the price or yield at which the purchaser will re-offer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the district will provide without cost to the purchaser such reasonable number of printed copies of the final official statement, and further copies, if desired, will be made available at the purchaser's expense. If the sale of the bonds is awarded to a syndicate, the district will designate the senior managing purchaser of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if the bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The district will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the chairman and the district secretary to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the district's preliminary official statement relating to the bonds may be obtained from the district's attorney.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the district for the year 1994 is \$8,821,437. The total general obligation bonded indebtedness of the district as of the date of the bonds, including the bonds, is \$200,000.

Dated September 22, 1994.

Fire District No. 5
Osage County, Kansas
Robert M. Knoemschild, Jr.
District Secretary
203 W. 3rd
P.O. Box 441
Lyndon, KS 66451

Office of Judicial Administration Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals Appellate Courtroom, 6th Floor U.S. Courthouse, 500 State Ave. Kansas City, Kansas

Wednesday, October 12, 1994

Before Briscoe, C.J.; Gernon, J.; and Miller, C.J. Retired, assigned.

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Case No.	Case Name	Attorneys	County
71,455 SC	Earl V. Nelson, Appellee, v. J. A. Peterson Co., et al., Appellants.	Wrightson J. Switz Mark A. Ferguson Douglas M. Greenwald	Johnson
71,127	Willa B. Tucker, Appellee, v. Rio Optical Corp., et al., Appellants.	John H. Fields J. R. Russell Thomas Decoursey	Wyandotte
70,606	Mirrors Int'l, Appellee,	John H. Fields	Johnson
	Graf's Gallery, Inc., et al., Appellants.	Gerald C. Golden	
		1:30 p.m.	
70,508	State of Kansas, Appellee, v. Thomas L. Heddens, Appellant.	District Attorney Attorney General Reid Nelson	Wyandotte
70,913	State of Kansas, Appellee, v. Mark Depriest Price, Appellant.	District Attorney Attorney General J. Patrick Lawless Jr.	Wyandotte
		2:30 p.m.	
71,210	Patsy and Kenneth Hawkins, Appellants,	Kevin J. Berger	Wyandotte
	Safeco Ins. Co., et al., Appellees.	John E. Franke	
71,421	In the Matter of the Marriage of Ron D. Wade and Katherine Sue Wade.	Ronald P. Wood Lee H. Tetwiler	Miami
	Thursday	, October 13, 1994	
Case No.	Case Name	9:00 a.m. Attomeys	County
71,802	Tony Morton, Appellant,	D'Ambra M. Howard	WC Board
	Bartel Sales & Serv., et al., Appellees.	Jeffrey A. Dehon Mark Kolich	
71,297	Vickie Ruth Helms, Appellee, v. Tollie Freightways, et al., Appellants.	Louis S. Wexler Marcia Yates Gearheart Kip A. Kubin	WC Board
71,126	In the Matter of the Marriage of Michael A. Bock and Jane Bock.	Gerald N. Jeserich Janet S. Ensign	Johnson
			Locustinical

(continued)

		10:30 a.m.	I The State of the
71,070	In the Matter of the Marriage of Lynda J. Kearns and Victor W. Kearns, Jr.	Victor Kearns Jr., pro se Bruce F. Landeck J. Patrick Shepard J. Sharbutt	Johnson
70,726	Hoelting Enterprises, Appellees,	Thomas W. Harris	Johnson
	Trailridge Inv., Appellant.	Robert M. Pitkin	
the second	Summary Cale	ndar—No Oral Argument	
70,894	State of Kansas, Appellee, v. Fred Quinn, Appellant.	District Attorney Attorney General Steven Zinn	Wyandotte
71,395	State of Kansas, Appellee, v. Tammy L. Garrett, Appellant.	District Attorney Attorney General Barry G. Albin	Wyandotte
70,091	State of Kansas, Appellee, v. Gary D. Duncan, Appellant.	District Attorney Attorney General Kimberley Kellogg	Wyandotte

Kansas Court of Appeals Court of Appeals Courtroom, Second Floor, Kansas Judicial Center Topeka, Kansas

Wednesday, October 12, 1994

Before Larson, P.J.; Royse, J.; and Robert G. Jones, District Judge, assigned.

Case No.	Case Name	9:30 a.m. Attorneys	County
71,520	Kansans for Fair Taxation, et al., Appellants,	Mike Broemmel	Shawnee
	V. Victor Miller, et al., Appellees.	Sandra Jacquot	
71,506	In the Matter of the Guardianship and Conservatorship of Ardith E. Dunlap.	Herbert A. Marshall Michael M. Jackson O. W. Bobo III Sue Devoe	Shawnee
		10:30 a.m.	
71,234	Mariam C. Mulhall, Appellee,	Deborah A. Huth	Lyon
	Department of Revenue, Appellant.	James G. Keller	
70,799	State ex rel. Shonta White, et al., Appellants,	County Attorney	Geary
	Sec. SRS, et al., Appellees.	Gary Ellis	
		1:30 p.m.	
71,249	Frank Crane, Appellee, and State Bank of Axtell, Appellant,	Lloyd R. Graham Michael W. Murphy	Marshall •
	R. L. Hunt, et al., Appellees.	Steven A. Kraushaar	
70,788	State of Kansas, Appellee, v. Jonathan Patrick Marshall, Appellant.	County Attorney Attorney General Max Rowinsky	Reno

		2:30 p.m.	
70,979	In the Matter of the Marriage of Patricia Buggeln and Randy Buggeln.	Gregory G. Meredith Randy M. Barker Timothy Givan	Reno
71,173	Philip Boos, et al., Appellees, v. Kansas State High School Activities Association, Appellant.	Steve E. Johnson Randall J. Forbes Allen R. Slater Robert L. Bates	Barton
	Thursday	October 13, 1994	
Case No.	Case Name	9:30 a.m. Attorneys	County
71,508	Univ. of Kansas, Appellee,	Robert D. Beall	Douglas
	Human Res. Dept., et al., and Robert Evans, Appellant.	John Ostrowski	
71,027	U.S.D. 207 and 453, Appellees, v. Northland National Bank, Appellant.	Steven B. Doering Louis M. Clothier John F. Thompson	Leavenworth
		0:30 a.m.	
71,119	In the Matter of the Marriage of Dixie Lehman and Richard Lehman.	Steven L. Davis Gordon M. Rock Jr.	Coffey
71,003	Gertrude Wassberg, Appellant,	Charles D. Kugler	Riley
	Barry Sarvis, et al., Appellees.	John F. Stites	
	Summary Calendary	dar—No Oral Argument	
70,854	State of Kansas, Appellee, v. Charles L. Jackson, Appellant.	District Attorney Attorney General Reid Nelson	Shawnee
71,083	Essam Abotteen, Appellee,	Essam Abotteen, pro se	Lyon
	Keith Harrison, Appellant.	Keith Harrison, pro se	
71,340	In the Matter of the Life Estate of Harold Wolters, deceased.	Nadine Wolters, pro se H. Scott Beims Terry L. Rogers	Rawlins

Kansas Court of Appeals Court of Appeals Courtroom, Third Floor Old Sedgwick County Courthouse, 510 N. Main Wichita, Kansas

Wednesday, October 12, 1994

Before Rulon, P.J.; Green, J.; and Donald L. White, District Judge Retired, assigned.

9:00 a.m.

Case No.	Case Name		Attorneys	eli di Sangia di Sangia di Sangia. Nga Paggaran	County
71,025	Robert C. Manning, Appellee,		Gerald W. Scott		Sedgwick
	Mass. Mut. Life Ins. Co., Appell	ant.	Alexander Mitchell	\mathbf{n}	
70,956	Parking Assoc., et al., Appellant v. Ks. Gas & Elec., Appellee.	S,	Robert T. Cornwell William P. Higgins Richard C. Hite Mark Vining		Sedgwick

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71,248	Bernice Tilcock, Appellee,	Martin D. Geeding	Sedgwick
	Randy Westfahl (Independent Order of Foresters, Garnishee), Appellant.	Gary L. Ayers	
		10:30 a.m.	
71,422	Kent Tutak, Appellant,	Brock R. McPherson	Barton
olius Localisa	v. Dennis Keenan, Appellee.	Brian Wood	
71,282	Susanne B. Gehring, Appellant,	James R. Howell	Lincoln
	Ks. Dept. Transp., Appellee.	Oswald S. Dwyer	
		1:30 p.m.	
71,046	Alvin Lee Hittle, Appellant,	J. Douglas Miller	Seward
	v. Dekalb Swine Breeders and Cigna Appellees.	a, James H. Morain	
71,364	Commercial Dev., Inc., et al., App	pellants, Stapley E. Antrim	Seward
	v. Seward Co., et al., Appellees.	J. Douglas Miller	
		2:30 p.m.	
70,802	City of Peabody, Appellee, v.	J. Steven Pigg Robert D. Myers	Marion
	James and Ernestine Hillard, App		
	Th	ursday, October 13, 1994	
Case No.	Case Name	9:00 a.m. Attorneys	County
70,648	In the Interests of D.A.C., et al.	Gregory G. Meredith Shannon S. Crane Scott A. Wells County Attorney	Reno
		10:00 a.m.	
70,796 70,797 70,798	State of Kansas, Appellant, v. James E. Landis, et al., Appellees.	County Attorney Attorney General Charles A. O'Hara Donald R. Snapp David P. Simmons	McPherson
70,891 70,920	State of Kansas, Appellee,	Debra S. Byrd Attorney General	Sedgwick
	Michael Gaines, Appellant.	Debra Wilson	
		11:00 a.m.	
70,694	Gary Randle, Appellant,	Jean Gilles Phillips	Kearney
	State of Kansas, Appellee.	Attorney General County Attorney	
	Summary	Calendar—No Oral Argument	
71,555	State of Kansas, Appellee, v. Robert J. Starks, Appellant.	Debra S. Byrd Attorney General J. Patrick Lawless Jr.	Sedgwick
70,730	State of Kansas, Appellee, v. Roosevelt Wallace, Jr., Appellant.	Debra S. Byrd Attorney General Roger C. Skinner	Sedgwick

Court of	Appeals	Docket

70,705

Kansas Register

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State of Kansas, Appellee, v. Cheophus C. Currie, Appellant.

Debra S. Bryd Attorney General J. Patrick Lawless Jr. Sedgwick

Kansas Court of Appeals County Commissioner Hearing Room Ellis County Courthouse Hays, Kansas

Wednesday, October 12, 1994

Before Lewis, P.J.; Pierron, J.; and William F. Lyle, District Judge, assigned.

Case No.	Case Name	8:30 a.m. Attorneys	
70,858	In the Matter of the Estate of Irene Murdock, deceased.	Paul R. Shepherd	County Ness
		9:30 a.m.	
70,392	Joseph Hawkins, Appellee, v.	William J. Graybill	Stanton
	Christian Dennis, and Farm Bureau Mutual Insurance Co., Appellant.	Paul Hasty Jr.	
70,565	In the Matter of the Marriage of Hal Bryan Ramsay and Jean G. Ramsay.	Max E. Estes Glenn I. Kerbs	Ford
		11:00 a.m.	
71,190	State of Kansas, Appellee,	County Attorney	Norton
	v. Duskin D. Arendt, Appellant.	Attorney General Stephen Moss	
70,620	State of Kansas, Appellee,	County Attorney	Norton
71,092	v. Dudley Eugene Brown, Appellant.	Attorney General Julie Gorenc	
		1:30 p.m.	
71,240	State of Kansas, Appellee,	County Attorney	Sherman
	v. Mario Dominguez, Appellant.	Attorney General Edward Collister Jr.	
	960	Jessica R. Kunen	
71,437	Barbara Bishop, et al., Appellants, v.	Stephen P. Weir	Logan
	Rosetta Wilson, et al., Appellees.	Michael V. Foust	
	Summary Cale	ndar—No Oral Argument	
70,652 70,653	State of Kansas, Appellee,	County Attorney	Finney
70,000	Raul Tapia, Appellant.	Attorney General Jean Gilles Phillips	
71,061	State of Kansas, Appellee,	County Attorney	Saline
	v. Michael Robert Rivers, Appellant.	Attorney General Mike Sheahon	
70,864	In the Matter of M.M.	L.H. Goossen	Harvey
1		County Attorney	
70,612	Michael D. Gutierrez, Appellant,	Jean Gilles Phillips Attorney General	Finney
	State of Kansas, Appellee.	County Attorney	
			(continua

71,724	State of Kansas, Appellee, v.	County Attorney Washington Attorney Generral
	Dr. J. T. Garner, Appellant.	J. T. Garner, pro se
70,897	State of Kansas, Appellee, v. Melvin Leroy Kirk Sr., Appellant.	County Attorney Saline Attorney General Stephen Moss
71,326	Union National Bank, Appellee,	Richard K. Thompson Sedgwick
	Pat Stevenson, Appellant.	John C. King
70,623	City of Dodge City, Appellee,	Terry J. Malone Ford
	v. Mark Anderson, Appellant.	Barry K. Gunderson

1-21-11 1-21-12 1-22-1

through 1-22-5 Revoked

Revoked

Amended

Carol G. Green Clerk of the Appellate Courts

Doc. No. 015405

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. This cumulative index supplements the index found in the 1993 Supplement to the Kansas Administrative Regulations.

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1-6-23	Amended	V. 12, p. 1706
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1-9-5	Amended	V. 12, p. 902
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1-9-13	Amended	V. 12, p. 1709
1-9-21	Amended	V. 12, p. 903
1-9-23	Amended	V. 12, p. 903
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1-10-6	Amended	V. 12, p. 1709
1-13-1a	Amended	V. 12, p. 1709
1-14-6	Amended	V. 12, p. 1817
1-14-7	Amended	V. 12, p. 1817
1-14-8	Amended	V. 12, p. 1710
1-14-10	Amended	V. 12, p. 1818
1-14-12	New	V. 12, p. 1711 V. 12, p. 721, 864
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1-16-2a	Amended	V. 12, p. 721, 864
1-16-2b	Amended	V. 12, p. 721, 864
1-16-2d	Amended	V. 12, p. 721, 864 V. 12, p. 722, 865
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